

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

<b>UNITED STATES OF AMERICA</b>	:	
	:	
v.	:	<b>NO. 4:20-CR-00121</b>
	:	
<b>RICKY LONG</b>	:	<b>JUDGE MATTHEW W. BRANN</b>
	:	
<b>Defendant.</b>	:	<b>ELECTRONICALLY FILED</b>

**DEFENDANT RICKY LONG’S REPLY BRIEF  
IN SUPPORT OF MOTION TO COMPEL DISCOVERY**

On August 20, 2020, Defendant Ricky Long (“Mr. Long”) filed a Motion to Compel production of the Internal Revenue Service (IRS) Civil Collections file compiled between 2013 and 2017. (ECF 19.) On September 9, 2020, the Government filed a Response to Mr. Long’s motion. (ECF 25.) To aid the Court in deciding this motion, Mr. Long offers the following short reply.

While the Government argues that Mr. Long’s motion is premature given its ongoing efforts to comply with Federal Rule of Criminal Procedure 16(a)(1)(A) and (E), the Government has, as of the date of this filing, failed to provide a full and complete copy of the IRS Civil Collections file. This file contains the most relevant information of the “who, what, where, when, and how” of the allegations

posited in the Indictment and falls squarely within the protections of Rule 16. *See* Fed. R. Crim. P. 16(a)(1)(E)(i) (“[u]pon a defendant’s request, the government must permit the defendant to . . . copy . . . documents of any . . . items, if the item is within the government’s possession, custody or control and: (i) the item is material to preparing the defense . . .”).

Currently, the deadline to file pretrial motions in this matter is November 5, 2020. (ECF 24.) Continued denial of this basic information to the defense hampers Mr. Long’s ability to prepare pretrial motions and impedes his preparation for trial. The Defendant therefore requests that the Court set a reasonable time by which the Government must produce the IRS Civil Collections file and honor its discovery obligations. Moreover, because the Civil Collections file was compiled prior to the commencement of a criminal investigation, Mr. Long disputes the Government’s asserted, but unsupported, need to redact “third party statements” within the IRS Civil Collections file. Any subsequent production should therefore be produced in wholly unredacted form.

For the reasons set forth herein, we respectfully request that the Court enter an Order granting Ricky Long’s Motion to Compel Discovery Pursuant to Federal Rule of Civil Procedure 16(a)(1)(A), (B) and (E) and requiring the Government to

produce the IRS Civil Collections file in unredacted form by date certain.

Respectfully submitted,

/s/ Patrick A. Casey

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Date: September 14, 2020

**CERTIFICATE OF SERVICE**

I, Patrick A. Casey, hereby certify that a true and correct copy of the foregoing Reply Brief in Support of Motion to Compel Discovery Pursuant to Federal Rule of Criminal Procedure 16(a)(1)(A), (B) and (E), was served upon the following counsel of record via the Court's ECF system on this 14<sup>th</sup> day of September, 2020.

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